

Docket No. 278432US0PCT

**MAIL STOP PCT**  
**IAP13 Rec'd PCT/PTO 27 NOV 2006**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: Naohiko HIROTA, et al.

SERIAL NUMBER: 10/550,528

FILING DATE: September 22, 2005

FOR: BARLEY LIPOXYGENASE 1 GENE, METHOD OF SELECTING BARLEY  
VARIETY, MATERIAL OF MALT ALCOHOLIC DRINKS AND PROCESS FOR  
PRODUCING MALT ALCOHOLIC DRINK

**RESPONSE TO NOTICE OF MISSING REQUIREMENTS UNDER 35 USC 371**

COMMISSIONER FOR PATENTS  
BOX PCT  
ALEXANDRIA, VIRGINIA 22313

SIR:

Responsive to the notification dated September 25, 2006, and in accordance with the provisions of 35 USC 371, Applicants submit herewith a Rule 63 Declaration, a copy of the English translation of Specification, and a Supplemental Application Data Sheet.

The required fee was paid at the time of filing the application.

In light of the foregoing, this application is deemed to be in proper condition for examination and such favorable action is earnestly solicited.

Our payment in the amount of \$0.00 is paid herewith by credit card. If any difference exists between the amount due and the amount being paid herewith, please charge or credit the difference to our Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136 and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully Submitted,

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MAIER & NEUSTADT, P.C.



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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

35 U.S. APPLICATION NUMBER NO. 10/550,528	FIRST NAMED APPLICANT Naohiko Hirota	ATTY. DOCKET NO. 278432US0PCT
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INTERNATIONAL APPLICATION NO.
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PCT/JP04/04217

I.A. FILING DATE 03/25/2004	PRIORITY DATE 03/25/2003
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22850  
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CONFIRMATION NO. 3047

371 FORMALITIES LETTER



\*OC000000020564728\*

Date Mailed: 09/25/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 09/22/2005
- English Translation of the IA filed on 09/22/2005
- Copy of the International Search Report filed on 09/22/2005
- Information Disclosure Statements filed on 09/22/2005
- Request for Immediate Examination filed on 09/22/2005
- U.S. Basic National Fees filed on 09/22/2005

RECEIVED: 9/28/06  
OBLON, SPIVAK, MCCLELLAND  
MAIER & NEUSTADT, P.C.  
DOCKETING DEPT.  
Initials/Date Docketed: PP 9/28/06  
Type of Resp(s): Deed Due  
Due Date(s): 11-25-06

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

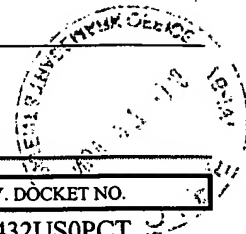
Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

INDIA L EVANS

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PART 1 - ATTORNEY/APPLICANT COPY



U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/550,528	PCT/JP04/04217	278432US0PCT

FORM PCT/DO/EO/905 (371 Formalities Notice)